

1 Carol E. Schmidt
Special Assistant Attorney General
2 Department of Environmental Quality
P.O. Box 200901
3 1520 E. Sixth Avenue
Helena, Montana 59620-0901
4 Telephone: (406) 444-1422
Attorney for Department

FILED this 6th day of
October AD 2009
at 11:21 o'clock A M.
MONTANA BOARD OF
ENVIRONMENTAL REVIEW
by M. Grable

5 Ed Forwood, Registered Agent
6 Anaconda Country Club
210 East Park Avenue
7 Anaconda, MT 59711

8 BEFORE THE BOARD OF ENVIRONMENTAL REVIEW
OF THE STATE OF MONTANA

9 IN THE MATTER OF:)
10 VIOLATIONS OF THE MONTANA PUBLIC)
WATER SUPPLY LAWS BY ANACONDA)
11 COUNTRY CLUB AT ANACONDA COUNTRY)
CLUB, PWSID #MT0003084, ANACONDA,)
12 DEER LODGE COUNTY, MONTANA.)
[FID #1756, DOCKET NO. PWS-09-51])

CASE NO. BER 2009-12 PWS

Stipulation for Dismissal

13
14 COME NOW the parties and stipulate, pursuant to Rule 41(a), M.R.Civ.P., to the
15 dismissal of this appeal. The parties have reached a resolution of the matters at issue and
16 Appellant hereby withdraws its appeal and request for hearing. The parties request that the
17 Board issue an Order dismissing this matter with prejudice, with each party to bear its own costs.

18 STATE OF MONTANA
19 Department of Environmental Quality

APPELLANT
Anaconda Country Club

20
21 By: Carol E. Schmidt
Carol E. Schmidt
22 Attorney for Department

By: Ed Forwood
Ed Forwood, Registered Agent
Anaconda Country Club

23 10/06/09
24 Date

10/04/09
Date

1
2
3
4
5
6
7
8 BEFORE THE BOARD OF ENVIRONMENTAL REVIEW
OF THE STATE OF MONTANA
9

10 IN THE MATTER OF:)
11 VIOLATIONS OF THE MONTANA PUBLIC)
WATER SUPPLY LAWS BY ANACONDA) CASE NO. BER 2009-12 PWS
12 COUNTRY CLUB AT ANACONDA COUNTRY)
CLUB, PWSID #MT0003084 ANACONDA,)
DEER LODGE COUNTY, MONTANA.) Order of Dismissal
13 [FID #1756, DOCKET NO. PWS-0951)
)

14 The parties have filed a Stipulation of Dismissal pursuant to rule 41(a), M.R.Civ.P.
15 stating that Appellant has withdrawn its appeal and request for a hearing in this matter. As
16 provided in the parties' Stipulation for Dismissal,

17 IT IS HEREBY ORDERED THAT this appeal is dismissed with prejudice. Each party
18 shall bear its own costs.

19 DATED this _____ day of _____ 2009.
20

21 DEPARTMENT OF ENVIRONMENTAL REVIEW
22

23 By: _____
JOSEPH W. RUSSELL, M.P.H.
24

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing Order of Dismissal
to be mailed to:

Ed Forwood, Registered Agent
Anaconda Country Club
210 East Park Avenue
Anaconda, MT 59711

Ms. Katherine Orr, Hearing Examiner
Agency Legal Services Bureau
1712 Ninth Avenue
P.O. Box 201440
Helena, MT 59620-1440

I further certify that I caused a true and accurate copy of the foregoing Order of Dismissal
to be served by hand delivery to:

Ms. Carol E. Schmidt, Legal Counsel
Department of Environmental Quality
1520 E. Sixth Avenue, Metcalf Building
P.O. Box 200901
Helena, MT 59620-0901

DATED _____

Joyce L. Wittenberg, Secretary
Board of Environmental Review